

**KENTUCKY BOARD OF DENTISTRY**

**LAW ENFORCEMENT COMMITTEE MEETING**

**September 10, 2010**

**CALL TO ORDER**

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Katherine King to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Susan King seconded the motion. All were in favor. A motion was made by Dr. Susan King to come out of closed session. Dr. Katherine King seconded the motion. All were in favor. A motion to adjourn was made by Dr. Susan King. Dr. Katherine King seconded the motion. All were in favor. The committee meeting adjourned at 11:30 a.m.

**BOARD MEETING**

**September 11, 2010**

C. Mark Fort, D.M.D. called the meeting to order at 9:00 a.m. There was a determination of a quorum.

**ROLL CALL**

Board members present were: Katherine King, D.M.D.; Allan Francis; C. Mark Fort, D.M.D.; Hank Sleet, D.M.D., M.D.; Susan King D.M.D.; Jim Allen, D.M.D. and Dianne Embry, R.D.H. and Greg Vance D.M.D. Ex-Officio members in attendance were Fonda Robinson, D.M.D. from UKCD and Julie McKee, D.M.D, Department for Public Health.

Staff present were Mr. Bishop K. Bishop, Executive Director; Ryan Halloran, Assistant Attorney General; William A. Bausch, General Counsel, Marquetta Poynter, D.M.D., Investigator; Lisa A. Turner, Executive Staff Advisor and Brian Fingerson, Well Being Committee.

**VISITORS**

Dusty Smith, UK College of Pharmacy Intern  
Mike Porter, KDA (KBD Legislative Committee)  
Dr. John Creech, KDA  
Dr. Ted Logan, KDA  
Donna Ruley RDH, Executive Director KDHA  
Dr. John Rakutt  
Dr. W. Michael Mansfield, ULSD  
Dr. Rodney Fultz

**APPROVAL OF MINUTES**

Dr. Katherine King made a motion to accept the July 2010 Special Meeting minutes. Dr. Hank Sleet seconded the motion. All were in favor.

Dr. Sleet made a motion to accept the July 2010 Meeting minutes. Dr. Vance seconded the motion. All were in favor.

#### **DIRECTOR'S REPORT**

Mr. Bishop gave the budget report and discussed the state budget deficit.

Dr. Vance made a motion to accept the contract for an Errors and Omissions Insurance policy for 2 million dollars. Dr. Susan King seconded the motion. All were in favor.

Mr. Francis made a motion to approve the draft of a Board Order which will be given to subjects of complaints upon receipt of the subpoena for records, complaint and Complaints Rights Brochure used in the new complaints process. Dr. Vance seconded the motion. All were in favor.

Mr. Francis made a motion to plan a Board Member Training Retreat for November 19<sup>th</sup> and 20<sup>th</sup> 2010 to meet at a state park such as Lake Cumberland or Big South Fork. Dr. Sleet seconded the motion. All were in favor.

#### **CREDENTIALS COMMITTEE**

The Credentials Committee made a motion to grant a dental license by credentials to Ming Yu, D.D.S., John-Wallace Hudson D.D.S., and John Todd Davis, D.D.S. Mr. Francis seconded the motion. All were in favor.

Dr. Katherine King made a motion to amend the agenda to include two additional credentials candidates. Mr. Francis seconded the motion. All were in favor.

The Credentials Committee made a motion to grant a dental license by credentials to Jeffrey Clark D.D.S. and a dental hygiene license by credentials to Alayna Bolinger R.D.H. Ms. Embry seconded the motion. All were in favor.

#### **LAW ENFORCEMENT COMMITTEE**

Brian Fingerson gave the Well Being Committee report.

10-58            Dr. Vance made a motion to accept the new terms of the settlement agreement. Dr. Sleet seconded the motion. All were in favor.

#### **NEW BUSINESS**

The Board requested more detailed information of the content of the Laser Debridement course.

The Board tabled the request for approval of Kimberly Burns, RDH, RN – application for IV access line certification until the certification process and IV training courses are developed.

The Board reviewed the letter from Elvin Carrero regarding Cone Beam scanning.

The petitions from Northern Kentucky Health Department; Barren River District Health Department; and Madison County Health Department are tabled until the draft of the public health hygienist regulation is ready.

Mr. Francis made a motion that Ronald Crume, DMD.'s request to practice general dentistry be fully deferred to a determination made by the Credentialing Committee upon their thorough review of his qualifications to practice general dentistry.

The Board members reviewed the examiner packet received from WREB.

Dr. Katherine King made a motion that Dr. Greg. Vance be the Kentucky Board representative to the SRTA Examination Committee. Dr. Susan King seconded the motion. All were in favor.

Dr. Sleet made a motion to move the March Board Meeting date to March 5, 2011. Dr. Susan King seconded the motion. All were in favor.

#### **COMMENTS FROM PUBLIC HEARTING ON REGULATIONS**

Mr. Francis made a motion to reject the comment on the Fee Regulation. Dr. Katherine King seconded the motion. All were in favor.

Dr. Susan King made a motion to reject the comment to maintain the continuing education requirement for live courses at 20 hours in the Dental Licensure Regulation. Dr. Sleet seconded the motion. All were in favor.

Dr. Vance made a motion to reject the comment for the Board to continue approving continuing education courses in the Dental Licensure Regulation. Dr. Sleet seconded the motion. The motion carried by a majority.

Dr. Vance made a motion to keep the C.E. requirement consistent between dentists and hygienists and to reject the comment to maintain the continuing education requirement for live courses at 20 hours in the Dental Hygienist Licensure Regulation. Dr. Susan King seconded the motion. All were in favor.

Dr. Katherine King made a motion to reject the comment to strike the certification of hygienists to perform laser debridement. Ms. Embry seconded the motion. All were in favor.

Dr. Sleet made a motion for the Charitable Dental Practices and Post Disaster Clinics Regulation to be pulled and for it to go through the same Legislative Committee process all of the other E-regs have gone through. Dr. Susan King seconded the motion. All were in favor.

Dr. Allen made a motion to accept the comment to change the Dental Assistant Regulation to allow dental auxiliaries to perform the same duties as dental assistants. The motion failed for lack of a second.

Dr. Vance made a motion to accept the comment to reconsider the registration of dental assistants in the Dental Assistant Regulation and to incorporate the specific recommendations as much as possible. Dr. Sleet seconded the motion. There was a hand vote and all were in favor.

Dr. Vance made a motion to reject the comment to change the Dental Assistant Regulation to allow the dentist to determine what duties dental assistants should perform and whether or not to perform a criminal background check. Dr. Susan King seconded the motion. All were in favor.

Dr. Katherine King made a motion to reject the comment to change the Dental Assistant Regulation to include the creation of an additional level for expanded duties and to register those assistants qualified as such only. Dr. Vance seconded the motion. The motion carried by a majority.

Dr. Sleet made a motion to reject the comment to change the Dental Assistant Regulation to include the registration of only those dental assistants who perform coronal polishing. Dr. Susan King seconded the motion. All were in favor.

Dr. Allen made a motion to reject the comment to strike the CODA accredited language and replace it with “a Board approved program” in the Dental Assistant Regulation. Dr. Susan King seconded the motion. All were in favor.

Dr. Vance made a motion to accept the comment to add the monitoring of vital signs to the delegated duties list approved for dental auxiliaries in the Dental Assistants Regulation. Dr. Susan King seconded the motion. All were in favor.

Dr. Vance made a motion to reject the comment to approve dental assistants to perform bleaching with lasers on the delegated duties list in the Dental Assistant Regulation. Dr. Susan King seconded the motion. All were in favor.

Dr. Katherine King made a motion to strike Section 9 (1)a from the Dental Assistant Regulation. Ms. Embry seconded the motion. Five voted yes and three members voted no. Motion carried by a majority.

Dr. Vance made a motion to accept the new draft of the Dental Assistant Regulation summarily requiring the direct supervision and control of the dentist for the registration of all dental assistant functions. Dr. Sleet seconded the motion. All were in favor.

Dr. Susan King made a motion to add the identical CPR requirement for dentists and hygienists as well as the HIV/AIDS education requirement to the new draft of the Dental Assistant Regulation. Mr. Francis seconded the motion. Motion carried by majority.

Dr. Susan King made a motion to add “all” in front of “dental assistant” in Section 2 and make assistant plural in the new draft of the Dental Assistant Regulation. Dr. Katherine King seconded the motion. All were in favor.

Mr. Francis made a motion to adjourn at 2:35 p.m. Dr. Vance seconded the motion. All were in favor.

**APPROVED:**

---

C. Mark Fort, D.M.D.  
President

---

Katherine King, D.M.D.  
Vice President